

REMARKS

Claims 1-31 are pending in this application. By this Amendment, claims 3, 9-13, 15-17, 19, 21, 23-25, and 27-31 are amended. Support for the amendments to the claims may be found, for example, in the claims as originally filed and in the specification at page 4, lines 15-17. No new matter is added.

In response to the Restriction Requirement, Applicants provisionally elect Group I, claims 1-23 and 27, with traverse. The Restriction Requirement asserts that the compound recited in claim 24 is not novel and is already disclosed by U.S. Patent No. 6,740,192 to Lu et al. ("Lu"). By this Amendment, claim 24 is amended to recite "at least one aromatic structural element which is bound in the polymer chain via urethane groups." This amendment was made to correct a translational error and support for this amendment may be found in the German original claim 24 of the original PCT filing and in the English translation of the specification at page 4, lines 15-17.

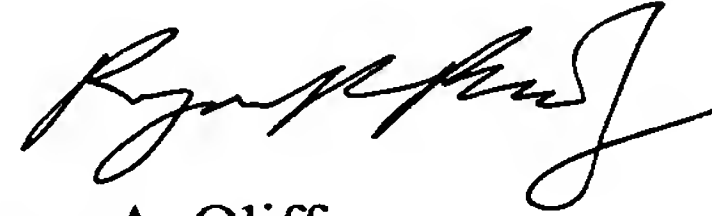
Lu does not disclose the impact strength modifier of amended claim 24. Specifically, Lu does not disclose an "aromatic structural element which is bound in the polymer chain via urethane groups." See amended claim 24 and the specification at page 15, formula (IV). In the formulas disclosed in Lu (Lu, column 2, lines 42-49), R_2 is not aromatic, and although R_1 may be an aromatic hydrocarbon, it is bound in the polymer chain via nitrogen atoms. See Lu, column 2, lines 38-59. Therefore, Lu does not teach the impact strength modifier of amended claim 24.

Accordingly, all the claims share common subject matter that defines a contribution over the prior art and, therefore, unity of invention exists between all the claims. Therefore, Applicants respectfully submit that lack of unity of invention has not been established and, thus, a Restriction Requirement based on a lack of unity of invention is improper.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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